

REMARKS

By this Amendment, claims 1 and 10 are amended to merely clarify the recited subject matter, claims 6, 8 and 14 are rewritten in independent form (thereby rendering claims 6, 8, 9 and 14 allowable), and introduced new claims 15-17 (patentable for substantially the same reasons as claims 1 and 10, explained herein) and new 18-20 (patentable for substantially the same reasons as allowable claims 8 and 14). Claims 1-20 are pending.

The Office Action rejected claims 1-5, 7, and 10-13 under 35 U.S.C. §102(b) as being unpatentable in view of Nashimura (U.S. 5,570,362). Applicant traverses the rejections because Nashimura fails to disclose, teach or suggest all the features recited in the rejected claims.

Specifically, Nashimura fails to disclose, teach or suggest the claimed data segmentation method and telecommunications system, in which (1) segmentation is performed on larger data units of a higher layer into smaller protocol data units of a lower layer so that each lower layer protocol data unit includes one or more data segments each containing data from a different one of the upper layer data units; (2) the lower layer protocol data units containing two or more data segments are provided, with segmentation length information which otherwise indicates length of the data segments; (3) an indication is provided with predetermined values of the segmentation length information, of special information about the higher level protocol data units instead of the length of the segments at least in the lower layer protocol data units containing two or more data segments; and (4) assembly being performed of the segmented higher level data unit at the receiving end by means of the segmentation length information.

The Office Action has asserted that Nishimura's CS-PDU corresponds to the recited "higher layer PDU" of claim 1, and that Nishimura's SAR-PDU corresponds to the recited "lower layer protocol data units". Further, the Office Action asserted that the "breaking down CS-PDU layer into multiple of the minimum unit of transfer" (see column 6, lines 38-46) so that "each SAR-PDU is a whole multiple of the minimum unit of transfer" anticipates the claimed segmentation of larger data units of a higher layer into smaller protocol data units (PDU) of lower layer so that each lower layer PDU containing one or more data segments.

However, Nishimura fails to teach or suggest segmentation of the CS-PDU into smaller protocol data units of a lower layer because Nishimura actually teaches that "the CS-PDU as a whole is accommodated as a payload by the SAR sublayer and giving 2-octet SAR-

PDU header before it and SAR-PDU trailer after it.” When the length of the payload of the SAR-PDU is not divisible by 6 octets (the minimum unit of transfer), then the payload is lengthened by adding filler data. Therefore, “the minimum unit of transfer” in Nishimura is not related to a segment of a higher layer PDU. As a result, Nishimura clearly fails to teach or suggest segmentation of larger data units of a higher layer into smaller protocol data units of a lower layer. In fact, Nishimura teaches that the CS-PDU as a whole is included as a payload by the SAR-PDU.

Further, Nishimura fails to teach or suggest lower layer protocol data units containing two or more data segments, with segmentation length information which otherwise indicates length of the data segments. Rather, in Nishimura there are no data segments because the payload of the SAR-PDU accommodates the entire CS-PDU. Therefore, no segmentation length information is needed in Nishimura.

Additionally, Nishimura fails to teach indication with pre-determined values of the segmentation length information, special information about the higher level protocol data unit instead of the length of the segments. As noted above, there is no segmentation length information in Nishimura. Because, Nishimura’s CS-PDU is completely included in a single SAR-PDU, no special information about the higher level protocol data unit is needed on the lower layer. Consequently, there are no pre-determined values of such segmentation length information which would indicate special information about the higher level protocol data unit instead of the length of the segments.

Nishimura further fails to teach or suggest assembly of the segmented higher level data unit at the receiving end using the segmentation length information because Nishimura fails to include such information as a result of the fact that no segmentation is taught by Nishimura.

Accordingly, the rejection of claims 1-5, 7, and 10-13 is traversed and claims 1-20 are allowable.

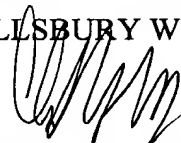
All issues having been traversed, Applicant submits that the application is in condition for immediate allowance and requests that a Notice be issued to that effect. If anything remains necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant’s undersigned representative.

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Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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